

Application/Control Number: 10/501,084  
Art Unit: 2872  
August 3, 2006  
Page 5

**Remarks**

It is observed that the Examiner rejected claims 14-26 as being indefinite, under 35 USC 112 and also rejected claims 14-26 as being unpatentable over Curiel (US 6,715,797) in view of Heckenkamp (US 6,337,752).

Accordingly, the applicant has first of all amended the claims to overcome the rejections under 35 USC 112.

Thus, claim 14 has been amended so as to recite that a hologram is present (and not "can be defined") and that the holographic material is "printed" instead of "coupled" (support for this amendment can be found on page 4, lines 18-22).

Claim 16 has been amended to recite that the hologram is recorded.

Secondly, as far as the cited prior art documents is concerned, it is observed that Curiel does not disclose the same arrangement of layers as claimed in the applicant's claim 1.

In particular, the applicant claims the presence of a background monochromatic layer 11, whereon chromatically different regions 12 are defined and whereon a layer of holographic material (wherein a hologram can be recorded) is arranged. The chromatically different regions are visually detectable looking at the document whereon such security element is arranged.

Thus, the claimed structure is composed of three main layers.

On the contrary, in Curiel the background layer is missing and the layer 12 corresponds to the applicant's layer of holographic material, the reference numeral 54 being only used to identify the hologram obtained by embossing the layer 12. Thus, elements 12 and 54 of Curiel correspond to element 10 of the applicant's invention.

The reference numeral 60 instead relates to a color band applied over the hologram.

Thus, with respect to the cited prior art documents, in Curiel at least one layer is missing, that is the monochromatic background layer (11 in the applicant's invention)

Application/Control Number: 10/501,084  
Art Unit: 2872  
August 3, 2006  
Page 6

whereon the chromatically different regions 12 are arranged.

Still further, Curiel does not disclose that such chromatically different regions are visually detectable.

In addition, the security element of Curiel is designed to be provided with information in the form of letters, for example, that are totally missing in the applicant's invention.

In view of the above, it is believed that even the combination of Curiel and Heckenkamp would not lead the skilled man in the art to the arrangement as defined in present claim 1.

Thus, allowance of such claim (and of the claims dependent therefrom) is respectfully requested.

It will be noted that a sincere effort has been made to positively respond to all of the points raised by the Examiner.

While it is believed that the amended claims properly define the present invention, applicant would be open to any suggestion the Examiner may have concerning different claim phraseology which, in the Examiner's opinion, more accurately defines the present invention.

Respectfully submitted,



Daniel O'Byrne (Reg. No. 36,625)

Agent for the Applicant

Date: August 3, 2006  
Address: Via Meravigli 16, 20123 MILAN-ITALY  
Telephone: (from USA) (011)(39)(02)8590-7777  
Telefax: (from USA)(011)(39)(02)863-860